

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

In Re: Christopher J Dement Sr. : Case No: 18-54182  
Emily J Dement :  
Debtor(s) : Chapter 13 Judge: C KATHRYN PRESTON  
: 341 Date: August 16, 2018

**CHAPTER 13 TRUSTEE'S OBJECTION TO CONFIRMATION**

Now comes Frank M. Pees, Standing Chapter 13 Trustee, and objects to the confirmation of the plan and requests that the Court enter an Order denying confirmation for the reasons set forth below and dismissing the case, pursuant to 11 U.S.C. §1307. This objection supersedes any prior objection filed in this case by the Trustee.

Above median income  X  Below median income \_\_\_\_\_

X  **11 U.S.C. §1325(a)(1)**-Plan does not comply with all provisions of Chapter 13 of Title 11 and the other applicable provisions of Title 11:

X  Debtor(s) failed to appear at the scheduled meeting of creditors.  
**Mrs. failed to appear at the scheduled meeting of creditors.**

X  Other: **5th Amended Plan, 2nd Amended Schedule B differs from Schedule D as to market value of lien 2007 Chrysler.**

X  **11 U.S.C. §1325(b)**-Plan does not meet disposable income test.

X  Debtor has failed to commit all disposable income to plan for the applicable commitment period. **Plan length @ 48 months does not meet the applicable commitment period of 60 months.**

X  **11 U.S.C. Section 1326(a)(1)**-Debtor(s) have failed to tender the following pre-confirmation payments not later than 30 days from the filing of the plan or petition (whichever is earlier): **Debtors failed to tender remaining balance of the 1st plan payment = \$737.69 (2nd plan payment due 08/31/18).**

Pursuant to LBR 3015-2(a), amendments necessary to place the plan in a posture for confirmation must be filed at least ten (10) days prior to the hearing on confirmation set for October 04, 2018, unless Debtor(s) have entered into an Agreed Order with the Trustee and so are bound by the terms of that Order.

Therefore, the Trustee prays that confirmation is denied and this case be dismissed for cause pursuant to §1307(c).

**TERMS OF THE PLAN:**

**Plan Payments: \$1370/1 mos; \$1540.00/23 mos; \$1940.00/REM**

**Best Interest Dividend: 0% Dividend: 1%**

**Length: 48 Months**

Further, Trustee notes that:

  X   Debtor(s) have failed to attend Debtor Orientation.

Dated: August 21, 2018

Respectfully submitted,

/s/ Frank M. Pees

Frank M. Pees  
Chapter 13 Trustee  
130 East Wilson Bridge Road #200  
Worthington, Ohio 43085  
(614) 436-6700  
trustee@ch13.org

CERTIFICATE OF SERVICE

The undersigned hereby certified that on the date shown below a copy of the Trustee's Objection to Confirmation was served electronically on the Office of the United States Trustee and Debtor's attorney, and on the Debtor(s) at the address as currently shown in the Trustee's records by regular first class mail, postage prepaid.

Dated: August 21, 2018

/s/ Frank M. Pees

Frank M. Pees

Chapter 13 Trustee

130 East Wilson Bridge Road #200

Worthington, Ohio 43085-6300